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Superfund Splits Silverton

By Chase Olivarius-Mcallister Herald staff writer

SILVERTON – The question of Superfund dominated the first meeting of the Animas River Stakeholders Group to take place since the Gold King Mine blowout, and the topic divided the hundred people from Silverton, Durango and even Denver who crowded into Silverton Town Hall on Tuesday night.

Peter Butler, co-coordinator of the group, acknowledged that the group has never formally endorsed or rejected Superfund because its own members – which include Silvertonians, environmentalists and representatives from mining companies, including Sunnyside Gold Corp. – disagreed about it.

Like Banquo's ghost in Shakespeare's Macbeth, though officials from the Environmental Protection Agency did not attend, throughout the hours-long Superfund discussion, the agency seemed omnipresent in the imagination of Silvertonians.

Many residents questioned whether Superfund – which would allow the agency to recoup costs of building and running a limestone water-treatment plant to treat the metals flowing out of the area’s mines and into the Animas River from any “parties it deems responsible” – was the right mechanism. They said they hoped to get money straight from Congress.

Meanwhile, Durangoans questioned how anyone could afford a treatment plant – which would cost \$20 million to build and about \$1.2 million to operate in perpetuity – without Superfund.

San Juan County Commissioner Scott Fetchenier said Sunnyside Gold Corp.’s \$10 million offer was one of the major reasons that commissioners decided to appeal directly to Congress, saying they might use Sunnyside’s money immediately rather than turning to Superfund and “waiting to find out whether Kinross Gold Corp. is held responsible for this,” a process he described as “ponderous.”

He advised against Superfund, saying that, “in the event Silverton became a superfund site, Sunnyside and its parent company, Kinross, a multi-billion dollar mining conglomerate, have promised to “withdraw the offer” and use the money instead for litigation.

Durango Mayor Dean Brookie was incredulous at this, saying the \$10 million that Sunnyside Gold Corp. had offered was chump change next to the financial damage that the EPA was looking at.

San Juan County Commissioner Ernie Kuhlman said it was possible that another mine in Silverton could blow out.

But, he said, a water-treatment plant would do nothing to prevent that.

Brookie said Sunnyside had brandished its offer of putting \$10 million toward cleanup on the condition that the community not pursue Superfund.

“Ten million is a microdot in this context. Losing that money should not affect this conversation,” he said. “My children drink the water. To put up \$10 million willy-nilly for a fix-it – that money’s been spent already,” saying the EPA had already spent \$1.6 million, and he’d already asked the EPA’s director for \$50 million.

Peter Butler said it’s possible that \$10 million looked like a lot more money before the Gold King Mine blowout.

One woman asked whether even \$100 million dollars would be sufficient to address the problem in perpetuity.

“It’s a start,” Brookie said.

Another Silvertonian said the timing was right to ask Congress for money, as they’re “not happy

with the EPA right now.”

Brookie said Congress isn’t “in the business of writing checks directly. That’s not their job or their legal purview. I’m curious about how much research” was put into the request.

Travis Stills, energy and conservation law attorney in Durango, said it was high time to “get on with Superfund. Not Superfund-light. Let’s embrace the EPA and solve this problem” and “stop bad-mouthing Superfund.”

He said the federal government’s writing blank checks “without employing a proven (Superfund) methodology that’s cleaned up many sites in the state” was how the Gold King blowout happened in the first place.

“Mining companies – those folks will have to be brought to bare and pay,” he said.

Later, Dan Olson, director of San Juan Citizens Alliance, told the Stakeholders Group: “You say that you have not taken a position on Superfund. So it’s disconcerting that tacitly, all the information that’s been presented about Superfund has been very negative. If (the group) is against Superfund, state that.”

He said he hoped the discussion about Superfund could continue “without bias.” He added. “That would be helpful, going forward.”

A regular attendee of the stakeholder's group meetings in the front row yelled, "Never going to happen!"

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